

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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3 5 2 CAPITAL GP LLC, et. al.	:	
	:	Case No.: 24-CV-5102 (VEC)
Plaintiff,	:	
	:	NOTICE OF MOTION TO
v.	:	<u>DISMISS</u>
	:	
RYAN WEAR et. al.	:	
	:	
Defendants.	:	
-----X	:	

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' REVL Capital Management LLC and REVL Securities LLC's (jointly "REVL") Motion to Dismiss the First Amended Complaint and the Declaration of Douglas Fogle, REVL will move this Court, before the Honorable Valerie E. Caproni, U.S.D.J., at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for an Order dismissing Plaintiff's First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6). PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's November 6, 2024, Order, any opposition is to be filed on or before January 23, 2025 and any reply is to be filed on or before February 12, 2025.

Respectfully submitted,

Dated: December 11, 2024

By: /s/ Douglas Fogle
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Douglas Fogle (phv)
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REVL Capital Management LLC and
REVL Securities LLC

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below I served the foregoing Notice of Motion to Dismiss and all related documents to all parties of record via the ECF:

Date: December 11, 2024

/s/ Douglas Fogle
Douglas Fogle